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ABSTRACT

This pamphlet is intended as a supplement to the booklet, "Recommendations for Legislative Consideration on Public Education," which was also published by the Texas Education Agency in November 1974. The pamphlet presents three additional recommendations for legislative attention. First, it recommends that any district that sends students to a neighboring district for part of their education be required to pay appropriate tuition. Second, it recommends that state financial support of county boards of trustees and elective and ex officio county superintendents be gradually phased out. Third, it recommends that an interim committee composed of legislators, state board members, school district officials, and citizens be established to develop a statewide plan for the governance of public education. (JG)

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**Texas Education Agency**

• STATE BOARD OF EDUCATION
• STATE COMMISSIONER OF EDUCATION
• STATE DEPARTMENT OF EDUCATION

201 East Eleventh Street
Austin, Texas
78701

November 1974

TO THE HONORABLE GOVERNOR OF TEXAS AND
MEMBERS OF THE SIXTY-FOURTH LEGISLATURE:

The following suggestions concerning public education in Texas are respectfully submitted for your consideration. These three additional recommendations on public school organization are combined as a supplement to the Recommendations for Legislative Consideration on Public Education in Texas, November 1974, and the Forty-eighth Biennial Report of the Texas Education Agency. They are authorized in Section 11.52 (n), Texas Education Code.

In the opinion of the State Board of Education these recommendations point to several aspects of the public educational system which need legislative attention. We feel that every school district should have the responsibility of supporting the program for the students who reside within its boundaries and should pay appropriate tuition accordingly. Secondly, we feel that State fiscal support for county administration is no longer needed to ensure a state educational system. The phasing out of state funding for this program would eliminate a State budget item of approximately $3.4 million annually. And finally, we recognize a need for a state plan for the governance of public school education, and we respectfully request your authorization for the development of such a plan to be submitted to the Sixty-fifth Legislature.

Your consideration is necessary for implementation of these recommendations and is respectfully requested. The Board, the Commissioner of Education, and the staff of the State Department of Education will be glad to provide further information and counsel on any of these matters to the Governor or to any member of the Sixty-fourth Legislature.

Respectfully yours,

Ben R. Howell

Ben R. Howell, Chairman
State Board of Education



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# SCHOOL DISTRICT RESPONSIBILITY

DESIRED CONDITION

Every school district in Texas should assume full responsibility for providing each student access to a full range of educational opportunities. School districts which send students to another school district because a K-12 program or special program (vocational or special education) is not offered within the district should be required to pay tuition for their students (excluding approved in-grade, vocational, and special education transfers when such program is provided in the home district) commensurate with the local cost per student in the receiving district, and to exercise local effort.

PRESENT CONDITION

Every student in Texas has the right to a full range of educational opportunities as defined in the Principles and Standards for Accrediting Elementary and Secondary Schools of the Texas Education Agency. There presently exist school districts whose students depend upon other school districts for these educational opportunities.

In some cases (not all) these school districts are taking financial advantage of the state and/or neighboring school districts:

Some districts which offer less than a comprehensive program (K-12, special, and vocational) send their students to a neighboring school district without paying any or only a token tuition (in some cases neighboring districts compete for these non-tuition students simply to have a higher ADA so as to receive a larger state allocation); and

A number of these school districts have extraordinarily high valuation per student residing in the district with a low tax rate, and even though they may not receive any state funds except per capita apportionment, these districts because of their low local effort contribute substantially to the unequal distribution across the State of the fiscal capability to support sound educational programs.

## RECOMMENDATION

It is recommended that legislation be enacted to require any district which sends students to a neighboring district for a portion of their education (excluding approved in-grade, vocational, and special education transfers when such program is provided in the home district) to pay tuition commensurate with the cost per pupil from local funds (including debt service) in the receiving district and provide for the consolidation of any district failing to do so.

# COUNTY SCHOOL ADMINISTRATION

DESIRED CONDITION

County school administration units should no longer be supported with State funds. If needed, they should be locally supported. It is not intended that any effort be made to abolish county school administration units which are presently supported through local funding arrangements, or to preclude the establishment of county school administration units in counties which choose to support these units on a local basis.

PRESENT CONDITION

Currently, 116 Texas counties have elective county school superintendents; 106 counties have county judges serving as ex officio county superintendents; five counties have appointed county superintendents paid from local funds; and 27 counties have neither an elective nor ex officio county superintendent. The number of county boards now in operation is 228. State monies budgeted for 1973-74 for county school administration amounted to about $3,460,000.

As a result of school district reorganization to date and the decreasing number of common school districts, there are many counties in which few actual duties and responsibilities remain for elective and ex officio county superintendents and county boards of school trustees. In addition, the establishment of regional education service centers now offers a substantial opportunity to provide supporting programs and services to small school districts--especially on a multiple-district, cooperative basis--in order to enlarge the range of educational opportunities available to their students.

This raises serious questions about the cost-effectiveness of maintaining these two types of service and/or intermediate units, and about the reasonable necessity of county boards of trustees and county superintendents.

RECOMMENDATION

It is recommended that State fiscal support of county boards of trustees and elective and ex officio county

superintendents be phased out over a reasonable period of time, with adequate provision for the realignment of common school districts and rural high school districts, for the completion of terms of office of extant county trustees and superintendents, and for the option of any county to maintain a county school administration unit supported entirely through local funds.

# STATE PLAN FOR THE GOVERNANCE OF PUBLIC SCHOOL EDUCATION

## DESIRED CONDITION

The Governor, the Legislature, and the State Board of Education should consider the development of a state plan for the governance of public school education in Texas with the aim of ensuring that the public school system is organized in a manner best suited to the accomplishment of the Goals for Public School Education adopted by the State Board of Education. These Goals are aimed at ensuring that individual students achieve intellectual discipline, economic and occupational competence, citizenship and political understanding, physical and environmental health, appreciation of culture, language and life style diversities, competence in personal and social relations, and improved use of leisure time. In addition, the Goals speak to the need for organizational efficiency and accountability, including the following:

> "The Public School System of Texas should be organized and operated so that the public, faculty, and students will accept and support its objectives and processes.
>
> "The educational system should be organized and conducted so as to achieve maximum cost-benefit results from efficiencies in process and economies of scale within size limitations which will make units of the system responsive and accountable to parents and citizens.
>
> "A program of continuing planning and evaluation should be established for measuring the performance of the public school system in terms of the competence of its staff, the performance of its pupils, and the efficiency of its structure and processes."*

## PRESENT CONDITION

Demands of modern education have increased and expanded, and shifts in Texas' population have occurred and many

*Goals for Public School Education adopted by the State Board of Education in October 1970 and revised in April 1973.

districts are now confronted with problems of locally maintaining adequate educational programs within present district structures. However, the State Board of Education and the commissioner of education are largely prohibited by statute from modifying the system for the governance of education to achieve goals adopted by the Board pursuant to its statutory role as the policy-forming and planning body for the public school system of the state. It appears that the time has come when a decision should be made with respect to instituting a statewide plan for the governance of school districts in Texas.

Administration of public schools in Texas by boards of trustees has always been based upon the sound principle of local control. The State Board of Education fully supports this by one of its policy statements which reads:

> "The Board believes local school boards are the best agencies for managing and controlling operations in school districts. However, the Texas Education Agency is legally responsible for supervision of certain local operations. In exercising this responsibility, assistance will be offered school districts that request assistance and attempts will be made to resolve conflicts to the satisfaction of the school district affected. When applicable statutory provisions or contractual obligations require impositions of sanctions or penalities upon school districts, primary consideration shall be given to the welfare of any school children thereby affected. The Board believes that each child is entitled to equal opportunity for education to the extent of the resources that can be made available, and shall strive to accomplish this goal."

## RECOMMENDATION

It is recommended that legislation be enacted whereby an overall statewide plan for the governance of public school education be developed. The legislation should include:

(1) The establishment of an Interim Committee composed of Legislators, State Board of Education members, school district officials, and citizens charged to develop with the involvement of local school officials and citizens of each county, a

statewide plan for the governance of public school education to be submitted to the Governor, the Sixty-fifth Legislature, and the State Board of Education.

(2) Appropriation of funds necessary to support the activities of the Committee.

(3) Provision of necessary supportive services by the Texas Education Agency.